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AB

UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/986,142	11/07/2001	Shinichi Kikuchi	P 284087 T4A0A-01S0955-1

00909

 PILLSBURY WINTHROP LLP
 1600 TYSONS BOULEVARD
 MCLEAN, VA 22102


CONFIRMATION NO. 4650

FORMALITIES LETTER



OC00000007116738

Date Mailed: 11/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/09/2002 ANAB11 00000056 09986142

01 FC:101	740.00 OP
02 FC:102	84.00 OP
03 FC:105	130.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$84.
 ■ \$84 for 1 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 954.

The following item(s) appear to have been omitted from the application:

- Figure(s) 13 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

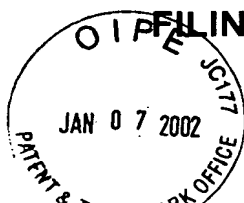


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)
For Design, Provisional, or Utility Applications

PATENT
APPLICATION

COMPLETION Under
Rule 53(f)

In re PATENT APPLICATION of

Inventor(s): KIKUCHI et al.

Appln. No.:

09

986,142

Atty. Dkt.

P

284087

T4A0A-01S0955-1

Series Code ↑

Serial No. ↑

M#

Client Ref

Filed: November 7, 2001

Title: INFORMATION RECORDING DEVICE WHICH HANDLES A PLURALITY OF RECORDING SURFACES
AND INFORMATION RECORDING METHOD WHICH HANDLES A PLURALITY OF RECORDING
SURFACES

Attn: Application Division

Hon. Commissioner of Patents
Washington, DC 20231

Date: January 7, 2002

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
- b. # pages of Specification (only spec. & claims)
- c. ☐ Drawing(s) No of Sheets
- ☐ Fig(s).
4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in JAPAN

Application No.	Filing Date	Application No.	Filing Date
(1) 2000-340956	November 8, 2000	(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

9. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☒ Attached: Response to Notice to File Missing Parts; Fig. 13
12. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fee Code	
13. Basic Filing Fee Design Application				\$330/\$165		106/26	
Not Design Application				\$740/\$370	+740	101/201	
14. Total Effective Claims	12	minus 20 =	0	x \$18/\$9	+0	103/203	
15. Independent Claims	4	minus 3 =	1	x \$84/\$42	+84	102/202	
16. If <u>any</u> proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$280/\$140	+0	104/204	
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205	
18. FILING FEE ENCLOSED =				\$954			
19. Original due date: January 26, 2002							
20. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached				(1 mo)	\$110/\$55 =	+0	115/215
				(2mos)	\$400/\$200 =		116/216
				(3mos)	\$920/\$460 =		117/217
				(4mos)	\$1,440/\$720 =		118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee				\$130	+0	139	
22. If "assignment" box 5 is X'd, add recording fee.				\$40	+40	581	
23. Petition Fee for				\$130	+0		
24. TOTAL FEE ENCLOSED =				\$994			

Our Deposit Account No. 03-3975

Our Order No.

8312

284087

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

1600 Tysons Boulevard
McLean, VA 22102
Tel: (703) 905-2000

By Atty: Dale S. Lazar

Reg. No. 28872

Sig:

Fax: (703) 905-2500
Tel: (703) 905-2126

Atty/Sec: DSL/vaw

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

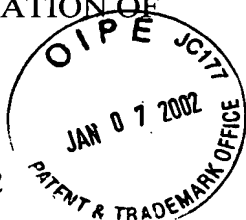
Attention: Office of Petitions

KIKUCHI et al.

Group Art Unit: Unassigned

Appln. No.: 09/986,142

Examiner: Unassigned



Filed: November 7, 2001

Title: INFORMATION RECORDING DEVICE WHICH HANDLES A
PLURALITY OF RECORDING SURFACES AND INFORMATION
RECORDING METHOD WHICH HANDLES A PLURALITY OF
RECORDING SURFACES

* * * * *

December 13, 2001

RESPONSE TO NOTICE TO FILE MISSING PARTS

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts dated December 12, 2001, we attach hereto the Declaration and fee for this application as well as an Assignment.

The Notice to File Missing Parts erroneously states that Figures 13 was omitted from the application. Also attached hereto is a copy of the postcards received from the PTO that acknowledge receipt of a complete application, including drawings (Figs. 1-13), on November 7, 2001.

In view of the fact that the PTO has already acknowledged receipt of the above-stated documents, we respectfully request that you withdraw your statement that Figure 13 was omitted.

We enclose a copy of Fig. 13 for your convenience.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By 

Dale S. Lazar

Reg. No.: 28,872

Tel. No.: (703) 905-2126

Fax No.: (703) 905-2500

DSL/vw
1600 Tysons Boulevard
McLean, VA 22102
(703) 905-2000

PAT-103 8/01 PTO RECEIPT FOR INDICATED ITEMS

Appln. No: 0 /

Inventor(s) KIKUCHI et al.

Title: INFORMATION RECORDING DEVICE...

Atty DSL/vw

Date 11/07/01

C# 8312

M# 284087

ENCLOSED:

☐ Amendment ☐ Appendix ☐ Cover sheet

1 No. of Pages Abstract

53 No. of Pages Spec and Claims

12 No. of numbered Claims only

☐ Declaration (#pgs)

☐ Assignment ☐ Cover Sheet

1 No. of Priority Documents

13 No. Sheets Drawings (Fig(s) 1 to 13) ☒ 1 set Formal

☒ IDS Letter ☐ cited Appl(s) ☐ Foreign sch rept./OA

☒ PTO-1449 ☒ cited docs.

☐ Nonpublication Request

\$ Fee (Check)

Other:



CURRENT DUE DATE: November 8, 2001

PAT-103 8/01 PTO RECEIPT FOR INDICATED ITEMS

Appln. No: 0 /

Inventor(s) KIKUCHI et al.

Title: INFORMATION RECORDING DEVICE...

Atty DSL/vw

Date 11/07/01

C# 8312

M# 284087

ENCLOSED:

☐ Amendment ☐ Appendix ☐ Cover sheet

1 No. of Pages Abstract

53 No. of Pages Spec and Claims

12 No. of numbered Claims only

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☐ Assignment ☐ Cover Sheet

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☒ PTO-1449 ☒ cited docs.

☐ Nonpublication Request

\$ Fee (Check)

Other:



CURRENT DUE DATE: November 8, 2001